



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
NEW YORK, NY 10007

May 20, 2024

VIA ECF

Hon. Robyn F. Tarnofsky
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Application granted. Defendant's time to respond to the complaint is extended until August 20, 2024, and the parties shall submit a joint status update on that date as well. No further extensions of these deadlines will be granted absent good cause shown. The Clerk of Court is respectfully requested to terminate ECF 24.

Date: 05/22/2024

New York, NY

SO ORDERED


ROBYN F. TARNOFSKY
UNITED STATES MAGISTRATE JUDGE

Re: *J.S. v. N.Y.C. Dep't of Educ.*, 24-cv-1508 (JLR)(RFT)

Dear Magistrate Judge Tarnofsky:

I am a Special Assistant Corporation Counsel in the Office of Corporation Counsel, Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs, and expenses for legal work on administrative proceedings under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.* ("IDEA"), as well as for this action.

I write to respectfully request an extension of Defendant's time to respond to the Complaint, from June 26 to August 20, 2024, i.e. 90-days from the date Plaintiff has agreed to provide the needed billing records (and a privilege log, if redacted for privilege) and retainer agreement/s with redactions for parent and minor's personally identifiable information only (May 22). Plaintiff consents to this request. This is the second request for an extension, the first extension having been granted on March 13, 2024. (ECF 11) Defendant also respectfully requests that the joint status update due June 26 be adjourned to August 20, 2024 as well.¹ Upon receipt of the documents from opposing counsel, the requested extension will give Defendant's counsel time to complete the City's internal review process by reviewing the billing records together with the underlying administrative record, begin settlement negotiations and hopefully resolve this matter without the need for a conference or motion practice. We have resolved recent similar IDEA fees-only cases brought by plaintiffs represented by the Roller firm without the need to burden the court with any sort of motion practice, conferences or even the need to file an Answer. The parties are hopeful this matter will be resolved as well.

Accordingly, Defendant respectfully requests that Defendant's time to respond to the complaint be extended to August 20, 2024, with a joint status update due that same date either informing the Court that matter has been fully resolved or proposing a briefing schedule.

¹ I reached out to Plaintiff's counsel regarding consent to the request to adjourn the joint status update, however as of the filing of this letter have not yet heard back.

Thank you for considering these requests.

Respectfully submitted,

/s/ Marina Moraru

Marina Moraru, Esq.

Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)